



City of Annapolis

Department of Planning & Zoning
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Board of Appeals

March 3, 2020

The Board of Appeals of the City of Annapolis held its regularly scheduled meeting on March 3, 2020 in City Council Chambers. **Chair** Gallagher called the meeting to order at 7:00pm.

Commissioners Present: **Chair** Robert Gallagher, Michael Walsh, Dr. Nadine Chien, Andrew Burnett

Commissioners Absent: **Vice Chair** Christian Zazzali

Staff Present: Dr. Sally Nash, Joel Braithwaite-Assistant City Attorney, Thomas Smith

Other Staff Present: Chris Beard, Counsel to the Board in APL2018-001 and Benjamin Henry, Counsel to the Board in SE2020-001

C. APPROVAL OF AGENDA

Mr. Walsh moved approval of the agenda as revised to move the deliberations for agenda item D.1 up on the agenda. Dr. Chien seconded the motion. The motion passed unanimously in a vote 4-0.

D. PUBLIC HEARING

1. Appeal, #APL2018-002, Motion for Reconsideration of the Decision on APF #SDP2018-006

Chair Gallagher noted that the Board had made the decision to vacate the Director's Certification and the applicant filed a motion to reconsider the decision.

Mr. Hyatt, Attorney for the Applicant, spoke in favor of the motion for reconsideration of the Board's decision.

Mr. Braithwaite, Assistant City of Annapolis, spoke on behalf of the City.

Mr. Rogers, Appellant, spoke on the appeal.

Ms. Halleck, Representative for Mr. Henney, spoke on the appeal.

Chair Gallagher accepted the following exhibits into the record.

| Exhibit Number | Submitted by Applicant Board of Appeals Exhibit Type |
|----------------|---|
| R | Motion for Reconsideration dated January 15, 2020 |
| S | Affidavit of Notification dated February 14, 2020 |
| T | Affidavit of Posting dated February 12, 2020 |

DELIBERATIONS

1. Appeal, APL2018-002, Lofts at Eastport Landing

Mr. Walsh moved to grant the motion for reconsideration to the extent necessary in order to revise the decision and order to correct references to the published standards and to correct the fee in lieu

calculations, all other decisions would remain as previously stated. Dr. Chien seconded the motion. The motion passed unanimously in a vote of 4-0.

Mr. Walsh moved to deny the reconsideration of the appellant's cross motion relating to the remaining four facilities. Mr. Burnett seconded the motion. The motion passed unanimously in a vote of 4-0.

2. Special Exception Application by City of Annapolis, #SE2020-001

Mr. Smith presented the City's review of the special exception application for the building located at 163 Duke of Gloucester Street proposed for governmental use for meetings and exhibit space. He recommends conditional approval of the special exception application as it has met all of the criteria and complies with the Comprehensive Plan recommendations.

Mr. Harold spoke on the application as the applicant.

Public testimony opened at 9:09pm and those speaking on the application are listed below.

| Name | Address | In Favor | In Opposition | Commented On |
|--------------------|---------|----------|---------------|--------------|
| Alderwoman Tierney | Ward 1 | | | X |

Chair Gallagher accepted the following exhibits into the record.

| Exhibit Number | Board of Appeals Exhibit Type |
|----------------|--|
| A | Staff Memorandum dated February 21, 2020 |

3. 110 Compromise Street Operator, LLC Special Exception, SE2020-001 - POSTPONED

E. OLD BUSINESS

There was none.

F. APPROVAL OF MINUTES

1. January 7, 2020 Meeting Minutes

The Board deferred voting on the January 7, 2020 minutes to its April 7, 2020 meeting.

G. NEW BUSINESS

There was none

H. DELIBERATIONS

1. Special Exception Application by City of Annapolis, #SE2020-001

Mr. Walsh moved approval of the special exception application of the City of Annapolis based on the evidence presented, the City staff recommendations, complies with the special exception criteria and the Comprehensive Plan recommendations. Mr. Burnett seconded the motion. The motion passed unanimously in a vote of 4-0.

I. SIGNING OF OPINIONS

There was none.

J. ADJOURNMENT

With there being no further business, Mr. Burnett moved to adjourn the meeting at 9:12pm. Dr. Chien seconded the motion. The motion passed unanimously in a vote of 4-0.

Tami Hook, Recorder